

**Notice of Allowability**

Application No.

09/804,144

Examiner

Robert W. Wilson

Applicant(s)

YU, SHAOHUA

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/20/05.
2. ☒ The allowed claim(s) is/are 1-46, 48-49, & 51-89 (Re# 1-87).
3. ☒ The drawings filed on 3/13/01 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**PHIRIN SAM**  
**PRIMARY EXAMINER**

### *Allowable Subject Matter*

1.0 The present invention is directed to a communication device upon receiving data packets recognizes the packet and adds a SAPI identifier in a frame according to packet type. Next the frame is encapsulated into the payload portion of a frame and overhead is added to the second frame. Finally the frame is transmitted over the physical layer.

The closest prior art is Russell (U.S. Patent No.; 6,584,118) and Ishii (U.S. Patent No.: 5,323,392). Russell discloses a port card 206 or 207 (1<sup>st</sup> receiving means) which provides Ethernet frames into a SONET MUX which performs rate adaption. The SONET MUX has a payload mapper (2<sup>nd</sup> framing means) and is connected to a ring via 201 or 202 (1<sup>st</sup> transmitting means). Ishii disclose a rate adaption device which generates a frame and adds a SAPI identifier per Fig 6.

The closest prior art either singularly or combined does not anticipate or render obvious the following claim limitations:

“SAPI identifier generating means for recognizing the type of the data packet and generating a SAPI identifier according to the recognized type” as claimed in claims 1, 88, & 89.

Determining means for comparing the value of the SAPI field with a set of preset values including at least a first value and a second value, and if the value of the SAPI field data matches the first value, determining the extracted data is of a first type, and if the value of the SAPI field matches the second value, determining the extracted data is of a second type” as claimed in claims 25 & 71.

In addition:

Claims 2-24 are allowed because they depend upon claim 1.

Claims 26-46 are allowed because they depend upon claim 25.

Claims 55-70 are allowed because they depend upon claim 54.

Claims 72-87 are allowed because they depend upon claim 71.

Claims 48-49 are allowed because they depend upon claim 88.

Claims 51-53 are allowed because they depend upon claim 89.

### *Conclusion*

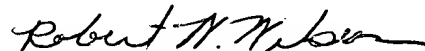
2.0 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075.

The examiner can normally be reached on M-F (8:00-4:30).

Art Unit: 2661

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert W Wilson  
Examiner  
Art Unit 2661

RWW  
5/27/05



PHIRIN SAM  
PRIMARY EXAMINER